

AMENDMENT UNDER 37 CFR § 1.111
Serial No. 09/501,517

REMARKS

Reconsideration of this application is requested.

A total of 45 claims remain in the present application. Referring now to the text of the Office Action:

- a) claims 1-32 stand rejected under 35 U.S.C. § 103(a), as being unpatentable over the teaching of United States Patent No. 6,331,978 (Ravikanth et al.) in view of United States Patent No. 6,021,419 (Clarke, Jr. et al.);
- b) claims 33-36 are objected to as being dependent upon a rejected base claim; and
- c) claims 37-45 are allowed.

Applicant appreciates the Examiner's indication of allowable subject matter in respect of original claims 33-36, and allowance of original claims 37-45. The Examiner's rejection of claims 1-32 under 35 U.S.C. § 103(a), is respectfully traversed in view of the following comments.

At paragraph 3 of the detailed action, the Examiner asserts that: "Ravikanth teaches ... a method of routing variable length packet data across a communication network; comprising inverse multiplexing a data packet into a frame comprising: a label block containing label information of the frame; and two or more respective payload blocks having a predetermined length". This characterization is not supported by the teaching of Ravikanth et al. and cannot be sustained in law.

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United States Patent No. 6,331,978 (Ravikanth et al.) teaches a generic label encapsulation protocol, in which variable-length packets (e.g. IP packets) are encapsulated within a generic label encapsulation packet (GLEP) for transport over a serial network (e.g. SONET). As shown in FIG. 2, the GLEP 200 comprises a label 210 field; a Label Error Correction (LEC) field 220; the original payload 230 and a Cyclic Redundancy Check (CRC) field 240 (Col 5, lines 32-33). "The original payload is a variable size packet" (Col 5, line 34, underlining added) "Those skilled in the art will recognize that the generic label encapsulation protocol according to the present invention is truly multi-protocol in the fact that the payload 230 being carried could be any network layer protocol" (Col. 5, lines 42-46, underlining added).

Based on the foregoing, Ravikanth et al. clearly and unambiguously teach that the payload field 230 of the GLEP 200 contains the original packet data which is to be encapsulated and transported across the network. Thus Ravikanth et al clearly and unambiguously contradict the Examiner's characterization. Ravikanth et al explicitly teach that packets 310-320 (FIG. 3, Col. 5, lines 33-38) are encapsulated within the payload 230 of a generic label encapsulation packet (GLEP) 200. Ravikanth et al do not teach, suggest, or even remotely contemplate that a data packet is mapped to a frame comprising "two or more respective payload blocks", as alleged by the Examiner.

None of the other prior art of record provides the missing teaching. United States Patent No. 6,021,419 (Clarke, Jr. et al.) teaches a filter adapter for restricting reception, by a computer, of messages broadcast broadcast through a multi-channel network. That such a multi-channel network may support "channel allocation for different types of data having different protocols" predates Clarke, Jr. et al. by many years. However, the well known fact that different protocols may be allocated to respective different channels does not teach or suggest that a single protocol (that is, a single frame) can be distributed over multiple separate channels. More particularly, nothing in the cited references teaches, suggests, or even remotely contemplates that

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Serial No. 09/501,517

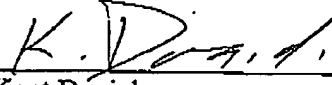
a frame header (label block) is transmitted over one channel; part of the payload is transmitted over a second channel, and another part of the payload is transmitted over yet a third channel.

In light of the foregoing, it is respectfully submitted that the presently claimed invention is clearly distinguishable over the teaching of the cited references, taken alone or in any combination. Thus it is believed that the present application is in condition for allowance, and early action in that respect is courteously solicited.

If any extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this response, such extension is hereby respectfully requested. If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17 which are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to our Deposit Account No. 19-5113.

Respectfully submitted,

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